

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

Case No. 2:18-cv-530

DEFENDANTS' JOINT MOTION TO COMPEL DEPOSITIONS OF CSXT WITNESSES

NOW COME Defendants Norfolk & Portsmouth Belt Line Railroad Company (“NPBL”) and Norfolk Southern Railway Company (“NSR”) (collectively, “Defendants”), by counsel, and pursuant to Federal Rules of Civil Procedure 16 and 37(a) and Local Civil Rules 16 and 37, hereby move this Court for an Order compelling Plaintiff CSX Transportation, Inc. (“CSXT”) to produce for limited depositions 1) Steven Armbrust, in-house counsel for CSXT and director of NPBL from March 2010 to June 2015, and 2) Michael Burns, Vice President and General Counsel for CSXT and director of NPBL from April 2018 to December 2019. Defendants seek leave to extend the discovery period to accommodate these depositions. In support of this Motion, Defendants refer this Court to their Memorandum in Support, filed contemporaneously with this Motion.

In accordance with Local Rule 37(E), Defendants have made a good faith effort to resolve the issues raised in this Motion.

WHEREFORE, for the reasons stated in the accompanying Memorandum in Support of this Joint Motion to Compel, Defendants respectfully request the Court order CSXT to produce Steven Armbrust and Michael Burns for depositions.

Dated: January 21, 2021

Respectfully submitted,

**NORFOLK AND PORTSMOUTH BELT LINE
RAILROAD COMPANY and NORFOLK
SOUTHERN RAILWAY COMPANY**

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CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2021, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing (NEF) to the registered participants as identified on the NEF to receive electronic service, including:

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